

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
SOUTHWESTERN DIVISION**

JOSHUA WARREN,)
)
Plaintiff,)
)
vs.) **Case No. 3:21-cv-05091-MDH**
)
)
MOUNT ETNA PARTNERS, LLC,)
RONALD BLACKBURN, and)
GARRETT REINCKE,)
)
Defendant.)

ORDER

The summons and complaint in this action were served upon Defendant Garrett Reincke (“Defendant Reincke”) on November 29, 2021. (Doc. 3). Defendant Reincke has failed to appropriately plead or otherwise defend this action. The default was duly noted by the Clerk March 1, 2022. (Doc. 8). This Court granted Plaintiff’s Motion for Default Judgment against Defendant Reincke on November 3, 2022. (Doc. 13). Defendant Reincke appealed thereafter. (Doc. 15). The Court of Appeals on December 12, 2022 directed this Court to treat Defendant Reincke’s notice of appeal as a timely motion to set aside default judgment under Federal Rule of Civil Procedure 55(c). (Doc. 18). On December 14, 2022, this Court ordered Plaintiff Warren and Defendant Reincke to submit briefing on the issue of whether to set aside the default judgment against Defendant Reincke no later than January 16, 2023. Plaintiff Warren submitted briefing on the issue

January 17, 2023. (Doc. 23). Defendant Reincke on January 13, 2023 moved this court for an additional thirty days in which to respond (Doc. 22). This Court granted Defendant Reincke's Motion for Extension of Time, ordering Defendant Reincke to submit required briefing no later than February 17, 2023. (Doc. 24). Each of this Court's orders were mailed to Defendant Reincke at the address listed as his return address in Defendant Reincke's Motion for Extension of Time. (Docs. 20, 22-1, 24). Defendant Reincke has failed to submit any such briefing as to why this Court should set aside this Court's default judgment as this Court ordered. Accordingly, it is **ORDERED** Defendant Reincke's Motion to Set Aside Default Judgment (Docs. 15, 18) is **DENIED**.

IT IS SO ORDERED.

Date: February 24, 2023

/s/ Douglas Harpool
DOUGLAS HARPOOL
UNITED STATES DISTRICT JUDGE